

**1. (Currently amended) EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Applicant's Attorney Jason L. Moore (Reg. No. 52,046) on October 24, 2008.

**AMENDMENTS TO THE CLAIMS**

**Listing of the Claims:**

Claims 6, 12, 14, and 16-25 have been cancelled.

Claims 1, 5, 11, 26, and 33 have been amended as follow:

1. (Currently Amended) An enhanced network management system comprising:  
a connection to a wide area network, the connection configured to receive management information via a plurality of virtual connections from a corresponding plurality of data communication nodes;  
wherein each node is configured to monitor equipment fault information for customer owned equipment and service level information for provider owned connections;

wherein each data communication node couples a particular local area network to the wide area network;

wherein the management information transmitted from each of the plurality of data communication nodes includes service level information for a transparent connection between the local area network associated with the data communication node and the wide area network, the transparent connection being intermediate between the wide area network and the local area network, the transparent connection carrying encapsulated data traffic between the local area network and the wide area network, the management information further including equipment failure information for a bridging node configured to generate the encapsulated data traffic;

wherein the management information, when presented to a customer, allows the customer to differentiate between network outages caused by customer equipment failures and provider service events allows network outages caused by customer equipment failures to be differentiated from service provider events.

5. (Currently amended) A network management system comprising:

a data network report collector for providing analysis of management information, providing notification of equipment failures, and providing administration of service level agreements for customers; and

a data router having an interface coupled to a wide area network;

wherein data collected via the interface includes the management information regarding a service level for a plurality of provider owned transparent connections for carrying data traffic between a plurality of local area networks and the wide area network;

wherein the transparent connections are situated between the plurality of local area networks and the wide area network; and

wherein the management information further includes equipment fault information for a bridging node configured to generate encapsulated data traffic transfer the data traffic to the wide area network; and

wherein the management information, when presented to a customer, allows the customer to differentiate between network outages caused by customer equipment failures and provider service events.

11. (Currently amended) A method comprising:

collecting management information for a transparent connection carrying encapsulated data traffic, the management information further including equipment failure information for a bridging node configured to generate the encapsulated data traffic;

identifying the equipment failure information using the collected management information;

separately identifying service provider service level information using the collected management information; and

presenting the service level information and detected equipment failures to a customer to allow the customer to differentiate between network outages caused by customer equipment failures and provider service events.

26. (Currently amended) A network management system comprising:

a report collector for providing analysis of management information, providing notification of equipment failures, and providing administration of service level agreements for customers, wherein the management information includes equipment failure information for a bridging node configured to generate encapsulated data traffic; and

a middleware server configured to collect management information from a plurality of data communication nodes for a transparent Digital Subscriber Line (DSL) connection between a wide area network and a plurality of local area networks, each local area network being associated with a corresponding data communication node, the management information being collected for the transparent Digital Subscriber Line via a Frame Relay network, the middleware server being further configured to forward the collected management information

to the report collector, wherein, when presented to a customer, the collected management information allows the customer to differentiate between network outages caused by customer equipment failures and provider service events.

33. (Currently amended) A method comprising:  
collecting management information from a plurality of data communication nodes for a transparent Digital Subscriber Line (DSL) connection between a wide area network and a plurality of local area networks, each local area network being associated with a corresponding Frame Relay data communication node, the DSL connection carrying encapsulated Frame Relay packets between the plurality of Frame Relay data communication nodes, wherein the management information includes equipment failure information for a bridging node configured to generate encapsulated data traffic;  
differentiating between a network outage caused by customer equipment failure and a service provider service level event using the management information; and  
providing differentiated management information to a user

#### **ALLOW SUBJECT MATTER**

1. This office action is in response to the amendment filed on August 15, 2008 and was interviewed on October 24, 2008.
2. Applicant amended claims 1, 5, 11, 26, and 33, cancelled claims 6, 12, 14, and 16-25.
3. Claims 1-5, 7-11, 13, 15, and 26-39 (currently renumbered as claims 1-26) are allowable over the prior art of record.
4. This communication warrants no examiner's reason for allowance, as applicant's reply makes evident the reason for allowance, satisfying the record as whole as required by rule 37 CFR 1.104 (e). In this case, the substance of applicant's remarks in the Amendment filed on

August 15, 2008 and further with the examiner's amendments point out the reason claims are patentable over the prior art of record. Thus, the reason for allowance is in all probability evident from the record and no statement for examiner's reason for allowance is necessary (see MPEP 13202.14).

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUOC H. NGUYEN whose telephone number is (571)272-3919. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tonia L. Dollinger can be reached on 571-272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Phuoc H Nguyen/  
Primary Examiner, Art Unit 2443

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